

# KENTUCKY GAZETTE.

[NUMB. XXXIX.]

SATURDAY, JUNE 11, 1796.

[VOL. IX.]

## FELLOW-CITIZENS:

IT is with the most painful sensations I behold our infant country, when just emerging from the state of disorder incident to a revolution in government; again on the verge of political convulsion;—How long shall we be the sport of an ambitious few? and when shall we see the period arrive, that a sincere affection for the peace and dignity of our country shall lead us to suppress with indignation the injurious efforts of the interested and designing. Attached to no party, influenced by no man, and free from personal resentments to the contending parties—I am impelled irresistibly to present to you a few reflexions at this important moment.

In the formation of the constitution, under which we profess to act, the minds of the citizens of Kentucky, were as deeply interested as is usual on such important occasions—We delegated to a chosen few, the arduous task, under a conviction, that the fairest opportunity then presented itself of framing a constitution, devoid of some of the defects, contained in those of our sister States.

The result of the collected wisdom of our representatives, was the plan of government now in operation—Familiar with the principles in view, at its commencement, we have in two instances seen our electoral body perform the duties of their office—And although criticism has been exhausted in marking the defects in our constitution; that body has passed unscathed the dreadful abyss now presented to our view by Benjamin Logan and his learned associate. Independent of that total want of delicacy, which marks their very extraordinary production; the feelings of every friend to the peace of society must revolt at the unbounded ambition which discovers itself under the mask of attachment to our constitution—Under this veil, it is too evident to admit of doubt, that an attempt is made to give a bias to the public mind on the agitated question—to accomplish this ungenerous purpose, we have exhibited to our view, the opinion, not of the attorney general, but of a lawyer. For my own part, I am at a loss on this occasion to determine, whether the transcendent presumption of the barrister exceeds the ambition of the general—From whence can be derived a right in a professional man, to obtrude an opinion on a political question, unthought for, but by a client, doubles with a fee in his hand—Wretched indeed is our situation, if we are bound to receive our political sentiments from a source so impure—If a fair and candid appeal to the citizens of Kentucky was intended on this supposed violation of our constitution, why anticipate the judgment of the public, before a fair and full discussion could take place—it is not difficult for a man in the habit of quibbling, to point our defects in any instrument, calculated to embrace the interests of a people—for such is their nature, that they imperfectly express the intention of the framers—we have therefore in cases of doubt, to resort to construction to determine the line of conduct most proper to pursue, in order to carry the intention into effect. But while thus engaged, it will becomes the freemen of Kentucky to search the antiquated volumes of our legal oracle, to form a rule of conduct on which their happiness is to depend

I hope the day is not yet come that the dictum of a lawyer is to be the test of political truth—the profession is honorable, we require the assistance of its practitioners; but we are capable of judging for ourselves, with respect to our constitutional rights.—The gentleman of the law, who has favored us with a display of his talents on the proposed contest, proceeds in the most hackneyed cant, to inform us of the rules of construction of instruments of writing, and supposes the constitution to be so intelligible that every man can comprehend it.—But unfortunately for him, he soon loses sight of this self-evident intention and entangles himself in the mazes of sophistry. This forced analogy between the powers of the mass of the people, and the delegated authority of the electoral body, will strike every man who reflects, as being improper.

In general elections by the citizens at large, no limited number can be designated to perform a suffice, in which each has an equal share as an independent right, but where from the nature of a representative body, certain rules are essential to the transaction of business, custom, convenience and reason, all unite to justify a regulation, enabling a restricted number to perform certain duties.—Our constitution is silent as to the number of electors necessary to elect a governor, they were therefore compelled to resort to some rule as a guide. In conformity to a practice long established, they determined that a majority of the electors present should concur in the election of all the officers to be appointed by them; the principle was fairly and fully understood previous to the balloting. Let us now examine this rule by the principle very justly laid down—that in a democracy there is no true criterion of choice, but by a majority of wills. Our researches need not be refined, to discover that a greater proportion of the constituents of the electoral body will be immediately represented by requiring a majority than a less number. A greater majority of wills is confounded and the principle is preserved inviolate. It is true that the prevailing practice of other states is not obligatory on us; but we have reason to suppose, that if the rule was either inconvenient or dangerous, they would long since have rejected it. Our electoral body have solemnly adopted the rule, and why shall an innovation be attempted to gratify the spleen of a disappointed and ambitious man.—Let us now examine whether there are not more evils to be dreaded, from a rule enabling a minority to elect, than from one requiring a majority. If you adopt the former, so inconsiderable a number as five electors (for example) may fill the most important offices in our government. Thus shrinks the will of the people of Kentucky to a number of representatives, at which every prudent man must shudder; on the contrary, by requiring a majority of the electors to concur, not less than fifteen can ever perform this important business. It is to be acknowledged that by the adoption of this rule, we shall in some instances exclude a good man, but we shall at the same time exclude more bad men.

That man who cannot obtain the assent of a majority of the electoral body, is not likely to meet the approbation of a majority of his fellow citizens; and altho' he may have friends who will support his election; if he is possessed either of

prudence or delicacy he will not obtrude himself to an office, from the exercise of which, he cannot better himself with peace to his country or pleasure to himself. It must excite the most painful sensations in the breast of every good citizen thus to see his country torn to pieces by parties, for the sole purpose of aggrandizing a few individuals.—To preferre inviolate our constitution is certainly an object of no much importance to be neglected, and the man who founders the *alarm* from pure motives, when it is invaded, deserves well of his country;—but he who, from private views, sows the seeds of discord in an infant country, or urged by the impulse of the moment expels defects, without a wish to remedy them, that man is dangerous to society and ought to be guarded with a watchful eye.—Let us suppose that the election of the present governor is contested—a majority of the senators, who are the judges, have already pre-judged the question; and as no material injury is likely to ensue from their former opinion, they will probably preserve it in despite of so learned an opponent as the attorney-general.—Let us extend our views still further, and suppose for a moment, the election of Mr. Garrard is declared unconstitutional; it is not to be feared that the general would be rejected on the same grounds; and we should be satisfied with a speaker of the senate, who might perhaps not be agreeable to us, and whose principles might not be entirely republican.—It becomes us, fellow citizens, to examine with attention the grand constitutional questions now before us; and if on a full and fair enquiry we discover we have erred—let us, as we value our future peace and dignity as a people, lay the axe to the root of the evil, and eradicate it in a constitutional mode. But let us not be led astray by the imposing names of men of eminence, and in pursuit of shadows lose the substance.

A CITIZEN.

LONDON, March 29.  
For some days it has been confidently reported, that a dissolution of parliament will soon take place, and we have good reason for thinking the report well founded;—but before such an event can happen, some considerable progress must be made in a treaty of peace, for military will never send their friends to their constituents until they have announced the signing of a preliminary convention, or the sitting of a congress, or some other equally decisive measure.

Duleldorf is the scene of principal preparation for opening the campaign, which both parties protest, not, we fear, in the hope of averting the calamities attendant on its commencement, but conscious that destruction to their cause would be the consequence of inaction. The French are stated, between the armies of the Sambre and Meuse, the Rhine and Moselle, to number half a million of men. The statement is doubtless exaggerated; but their force is immense, and that it must be nearly if not quite equalled by the imperialists, is admitted by accounts, and confirmed by circumstances. Dreadful must be the result, when bodies of such strength and enmity come in conflict.

April 1.

By a vessel arrived at Harwich, the account of the Dutch fleet having reached Bergen in Norway, is confirmed, the whole object of their

crusade being to convoy home their East Indian men, that have laid in at port during the winter. The master of the above vessel left the Dutch fleet in Bergen.

As Admiral Duncan was determined to watch their return from the coast of Norway, we are in great hopes of speedily hearing a very good account of the Dutchmen.

We have received the Paris papers of the 26th, 27th and 28th ult.

The papers from the 22d to the 26th are wanting. The former contains intelligence of much importance.

Charette has at length been taken and shot. Entirely defeated by the Republican army—his troops dispersed and incapable of being collected again and rallied; he fled closely pursued.—Charette assumed the dress of a peasant, with the hope of eluding the strict search that was making after him. He wandered for some time among the fields alone, and was at length discovered and pursued by a Republican patrol. His strength being at last exhausted, he funk up on the ground, and was taken by two grenadiers, who carried him on their shoulders to the next post, from whence he was conveyed to Angers. At Angers he was tried and sentenced to death. The sentence was immediately carried into execution.

This event may be considered as the death blow to the Vendean war.

The negotiations with Sardinia, if we may believe the accounts in the French papers, had made considerable progress when they were broken off. Sardinia had consented to a provisional cession of Savoy and Nice; but it was required that this cession should not be definite till the general peace, and that France should give his Sardinian majesty compensation and indemnity.

This the French Government would not consent to, and the negotiation was immediately broken off.

The Batavian Convention, according to letters from the Hague, decreed, on the 10th ult, the levying of one man out of every thousand, for the service of the navy of the New Republic.

A letter from Madrid says, the Government has revoked the order for dismantling the Navy. Should this prove true, it must give considerable uneasiness to the Cabinet of St. James's.

PHILADELPHIA, May 18.

Capt. McCutcheon, on the 12th instant was boarded by La Concorde, French frigate, standing in for the Capes of Virginia, the captain of which informed a French gentleman on board capt. McC. that war was declared between Eng. and Spain.

May 21.

From the New-York Minerva. We have put into our hands a letter from Paris, disclosing a dangerous conspiracy—no less than an attempt of certain Americans to instigate the French government to take a decided part in opposing the execution of the British treaty by this country, and to inflict one guarantee of their possessions in the W. Indies; thus compelling us into the war with Great Britain and France.

Cape Francois, Flores.

We have just received officially the news of the fleet which is coming to this country.—The Comini-

Mioners Roume and Leblanc are arrived at Santo Domingo in a frigate detached from the Squadron. We are informed that the fleet consists of 27 ships 28000 land forces. Citizens Sanhoma, Raimond Creuze-Pascal are among the members of the directory. We expect them daily.

The several accounts respecting the French fleet, it will be perceived from the extracts of letters, &c. we have already published, differ as to its strength and the number of land forces sent out. But even the lowest accounts given makes the armament very considerable. We may early expect news of some decisive blow struck in the West Indies.

From the (London) COURIER, of Feb. 25.

#### THE YORKSHIRE PHENOMENON.

The following letter, relative to this Phenomenon, has been written by Mr. Topham in a friend.

The very singular phenomenon which took place near my house in Yorkshire, on Sunday the 20th of December, 1795, has excited general curiosity.

Being in London at the time, it was impossible for me to know more of it, than from some vague accounts in Provincial and London papers, and to be certain from private letters, that such an event had occurred. On my return here, I found that for a space of nearly three weeks thirty or forty persons each day had come to see a stone which had fallen; and I found likewise a number of letters, from different parts of the kingdom, requesting me to give them an account of the circumstance.

The following detail, which you are welcome to make public, will be, I hope satisfactory on the subject.

The exact weight of the stone which fell, and which was weighed immediately on being dug up, was, by Merlin's balance, 3 stone 12lb.—It had buried itself in 12 inches of soil, and after it in six inches of solid chalk rock, from whence it was some little time in being extracted. When taken up it was warm, and cracked.

At the time it fell there was a labourer within nine yards, and a carpenter and groom of mine within seventy yards. The labourer saw it coming down, at the distance of about ten yards from the ground.

As it fell, a number of explosions were heard by the three men, at short intervals, about as loud as the report of a pistol. The stone is strongly impregnated with sulphur, and then burns very strongly. The general texture of the stone is that of grey granite, of which I know of none that may be called "natives of this country."

What renders this event more extraordinary is, that the day was a mild hazy day; a sort of weather very frequent on the Wold hills, when there are no winds or storms; but there was not any thunder or lightning the whole day. It fell about three o'clock in the afternoon. Its course, as far as I can collect from different accounts, was from the south west.

At Bridlington, and at different villages, sounds were heard in the air, which the inhabitants took to be the noise of guns at sea: but at two adjoining villages, the noise was so distinct of something singular passing through the air, towards my habitation, that five or six people came up to see if any thing extraordinary had happened to my house or grounds.

In burying itself in the earth, it threw up a greater quantity of soil by far than a shell would have flung up, and to a much greater extent. When the labourer had recovered from the extreme惊恐 which the descent of such a stone had thrown him, his first description was, "that the clouds opened as it

fell, and he thought heaven and earth were coming together!"

From the various persons who have been to inspect this curiosity and who are still daily coming from different parts, no satisfactory conjecture has yet been hazarded from whence it came,—we have no such stone in this country. There has not been any where in these parts any eruption from the earth—from its jagged and singular form, it cannot have come from any building; and as the day was not tempestuous, it does not seem probable that it can have been forced from any rocks, the nearest of which are those of Flamborough head, a distance of twelve miles.

The particulars of this event are now before the public. I have taken every due care to examine the accounts given by the different persons, who all agree upon the subject; and from what I have seen I have no doubt of the veracity of their relation. To account for so extraordinary an appearance, I leave to the researches of the philosopher.

I have the honour to be, Sir, &c.  
EDWARD TOPHAM,  
Wold Cottage, Feb. 8 1796,  
\* 14b. to the stone.

#### LEXINGTON, JUNE II.

The late treaty with Great Britain, at the threshold of its existence, has become the subject of disagreement between our executive and the British, the latter declaring that they could not deliver up the posts, until our government should remove a clause between one article of that treaty and our last treaty with the Indians, as well as certain existing laws, in consequence of this explanatory article, the treaty has been framed by Timothy Pickering on our part and the British charge des affaires. The difference we hope was not adjusted by a further surrender of our rights and advantages. Yet be that as it may it is likely this second treaty will occasion a suspension of the execution of the first as it must require mutual ratification, and probably another year's leave will thereby be granted to the British cruisers, who, however perhaps do not care for leave or license, but who, treaty or no treaty, will carry on the most lucrative part of their business, plundering defenceless neutrals.

[Aurora]

#### BRITISH TREATY.

##### EXPLANATORY ARTICLE

WHEREAS by the third article of the treaty of amity, commerce and navigation, concluded at London on the 10th day of November 1794, between his Britannic majesty and the United States of America, was agreed that it should at all times be free to his majesty's subjects and to the citizens of the United States, and also to the Indians dwelling on either side of the boundary line assigned by the treaty of peace to the United States, freely to pass and re-pass by land or inland navigation, into the respective territories and countries of the contracting parties on the continent of America (the country within the limits of the Hudson's Bay company only excepted) and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with each other, subject to the provisions and limitations contained in the said article.

And whereas by the eighth article of the treaty of peace and friendship concluded at Greenville, on the third of August 1795, between the United States and the nations or tribes of Indians called the Wandoos, Delewares, Shawanees, Ottawas, Chippewas, Potowatimis, Miamies, Eel river, Weas, Kickapoos, Piankawaws, & Kaf-kalkias, it was stipulated, that no

person should be permitted to reside at any of the towns or hunting camps of the said Indian tribes as a trader, who is not furnished with a license for that purpose, under the authority of the United States; which latter stipulation has excited doubt whether in its operation it may not interfere with the due execution of the said third article of the treaty of amity commerce and navigation; and it being the sincere desire of his Britannic majesty and of the United States, that this point should be so explained as to remove all doubts, and promote mutual satisfaction and friendship; and for this purpose his Britannic majesty having named for his commissioner

PHINEAS BOND esq his majesty's consul general, for the middle and Southern states of America (and now his majesty's Charge d' Affairs to the United States) and the president of the United States having named for their commissioner TIMOTHY PICKERING esq. secretary of state to the United States, to whom agreeably to the laws of the United States, he has intrusted this negotiation; they, the said commissioners having communicated to each other their full powers, and conformable to the spirit of the last article of the said treaty of amity commerce and navigation, entered into this explanatory article, and do, by these presents, explicitly agree and declare, that no stipulations in any TREATY subsequently concluded by either of the contracting parties with any other state or nation or with any Indian tribe, can be understood to devolve in any manner from the rights of free intercourse and commerce, secured by the aforesaid third article of the treaty of amity commerce and navigation, to the subjects of his majesty, and to the citizens of the United States, and to the Indians, dwelling on either side of the boundary line aforesaid; but that all the said persons, shall remain at full liberty freely to pass and repass, by land or inland navigation, into the respective territories and countries of the contracting parties on either side of the said boundary line, & freely to carry on trade and commerce with each other according to the stipulations of the said third article of the treaty of amity, commerce and navigation. This explanatory article, which shall have been ratified by his majesty & by the president of the United States, by and with the advice and consent of their senates, and the respective ratifications mutually exchanged, shall be added to and make a part of said treaty of amity, commerce and navigation, and shall be permanently binding upon his majesty and the United States.

In witness whereof we the said commissioners, of his majesty the king of Great Britain, and the United States of America, having signed this present explanatory article, and thereto affixed our seals.—Done at Philadelphia the fourth day of May, in the year of our Lord, one thousand seven hundred and ninety-six.

P. BOND [L. S.]  
T. PICKERING [L. S.]

Ratified by the president and senate.

A list of acts passed the first session of the fourth Congress.  
Prior to May 20, 1796.

An act making appropriations for the support of government for the year 1796.

An act for establishing trading houses with the Indian tribes.

An act further extending the time for receiving on loan, the domestic debt of the United States.

An act for the relief of certain officers and soldiers who have been wounded or disabled in the actual service of the United States.

An act for the relief of Benjamin Wether.

An act for allowing compensation

to the members of the senate and house of representatives of the United States and to certain officers of both houses.

An act for the relief of Jose Roiz Silva.

An act for the relief of Israel Loring.

An act providing relief for a limited time, in certain cases of invalid pensioners.

An act making a partial appropriation for the support of the military establishment, for the year 1796.

An act in addition to an act, entitled, as act making further provision for the support of public credit, and for the redemption of the public debt.

An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontier.

An act making an appropriation for defraying the expenses which may arise in carrying into effect a treaty made between the United States and the king of Spain.

An act making an appropriation for defraying the expenses which may arise in carrying into effect a treaty made between the United States and certain Indian tribes, North West of the river Ohio.

An act making an appropriation for defraying the expenses which may arise in carrying into effect the treaty made between the United States and the Dey and regency of Algiers.

An act making further provisions relative to the revenue cutters.

An act to continue in force for a limited time an act, intituled, an act declaring the content of congress to an act of the state of Maryland passed the 26th of December, 1792, for the appointment of a health officer.

An act making an appropriation towards defraying the expenses which may arise in carrying into effect, the treaty of amity, commerce and navigation, made between the United States and the king of Great Britain.

An act authorizing and directing the secretary of war to place certain persons therein named on the pension list.

Resolution directing further returns in the cases of claimants for valid pensions.

An act to continue in force an act to ascertain the fees in judicial proceedings in the district courts of the United States and for other purposes.

An act supplementary to an act entitled, "An act to provide a naval armament."

An act declaring the content of congress to a certain act of the state of Maryland, and to continue an act declaring the content of congress to certain acts of the states of Maryland, Georgia and Rhode Island and Providence plantations, so far as the same respects the states of Georgia, and Rhode Island and Providence plantations.

An act making certain provisions in regard to the circuit court for the district of North Carolina.

An act authorizing the erection of a light house on baker's island in the state of Massachusetts.

An act authorizing a loan for the use of the city of Washington, in the district of Columbia, and for other purposes therein mentioned.

An act providing for the sale of the lands of the United States in the Territory North West of the river Ohio, and above the mouth of Kentucky river.

An act to authorize Ebenezer Zane to locate certain lands in the Territory of the United States North West of the river Ohio.

An act allowing compensation for horses killed in battle, belonging to officers of the army of the United States.

An act authorizing the erection of a light house on Cape Cod in the state of Massachusetts.

An act to repeal so much of an act entitled, "an act to establish the judicial courts of the United States" as directs that alternate

essions of the Circuit court for the district of Pennsylvania shall be held at York-Town; and for other purposes.

[For the KENTUCKY GAZETTE.]

27th September, 1779. Mr. Jay was appointed as minister to the court of Spain. 3rd and 17th October, 1782, Mr. Jay was instructed by Congress, to insist on the navigation of the Mississippi, and present boundary.

13th April, 1781. On the motion of the delegates from Virginia, Mr. Jay was instructed by Congress to offer to Spain the exclusive navigation of the Mississippi without condition. New Jersey any Maryland not then represented. New-York, divided. Massachusetts, Connecticut and North Carolina opposed the other states in favor.

Mr. Jay, of his own motion, during the existence of these infractions, annexed a condition, that Spain, to avail herself of it, should, before peace with Great Britain, make a treaty with the United States, similar to our treaty with France.

30th April, 1782. Congress being advised of the conditional offer made by Mr. Jay, approve it, & direct him to request loans, &c. 6th August 1782, Congress annul the former instructions to Mr. Jay, and direct him to treat with Spain as provided by the separate article with France.

Mr. Adams sole commissioner from the United States to Great Britain for peace and commerce, 1779.

In June, 1781, Franklin, Jefferson, Jay, and Lawrence, joined with Adams to treat of peace; and Adams's powers to treat of commerce repealed.

Commissioners for peace instructed to exclude the fisheries and Mississippi from the ultimate.

8th June, 1781, Virginia proposed the Ohio as the N. W. boundary of the United States. New-England states against it, and question lots.

## LANDS TO BE LEASED

IN the settled part of Kentucky, on high and level ground near the Ohio, of the first quality, admirably watered, and affording the most luxuriant range for cattle, both in summer and winter.

Seven years rent free will be given for clearing; or a long lease, at a very early rent, payable in produce. For further particulars apply to

H. Toulmin,  
At the Seminary in Lexington.

June 10, 1790.

## FRESH GOODS.

THE SUBSCRIBER WILL OPEN  
IN A FEW DAYS, A GENERAL ASSORTMENT OF

MERCHANDISE, well adapted to the present and approaching season, which he will either by wholesale or retail, on very moderate terms for Cash, Beef-Cattle, Bacon, Country Linen & Wool.

JAMES MORRISON.  
Lexington, May 25, 1790.

TROTTER & SCOTT,  
HAVING sold off their Store, earnestly  
request all those indebted to them, by  
bank or otherwise, to come forward & make immediate payment to themselves or Mr. Watson Scott, who is  
authorized to receive, and give discharge. Those who neglect this notice, cannot expect any longer indulgence. They will attend for the above purpose at the house they  
lately occupied on Main street.

Lexington, April 2, 1790.

FOUR DOLLARS REWARD.

STRAVED away out of the pasture of  
Captain Hubbell near Frankfort a hand-  
some dark bay Horse with a fin on the  
forehead of his nose, a natural trotter about  
fourteen hands and a half high, low in flesh,  
whoever will bring back the said horse  
shall have one thousand dollars and all reasonable  
charges paid them by

ELISHA WINTERS.

April 20.

## STATE of KENTUCKY.

Fayette County, April Court  
Quarter Sessions, 1790.

ROBERT PATTERSON, Complainant,  
Against

NATHAN READ, Defendant.

IN CHANCERY.

THE Defendant not having entered his appearance agreeably to the act of assembly, and the rules of this court; and it appearing to the satisfaction of the court that he is not an inhabitant of this state—therefore on the motion of the complainant, by his counsel, it is ordered that the said Defendant do appear here on the second Tuesday in September next, and answer the Complainant's bill—that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively, and published Sunday at the door of the Presbyterian meeting house in Lexington, immediately after Divine service, and at the front door of the court house of this county.

(A copy) Levi Todd, C. C. Cur.

## FRESH GOODS

Alex. & James Parker,

HAVE just imported and now opening  
at their STORE in Lexington, Kentucky,  
Court House, a large and convenient  
assortment of well-known MERCHANDISE,  
suited to the present season; which they  
will sell on very moderate terms for CASH  
and HIDES.

May 27, 1790.

## ALL PERSONS

INDEBTED to the late part of the  
IRWIN & BRYSON, are requested to  
pay their account or notes to THOMAS IRIN-  
ON or JOHN A. SEITZ, who only can give  
discharge.—One month's indulgence  
will be given and no longer.

Lexington, May 27, 1790.

## NOTICE

Commissioners appointed by the court of  
Scott county, will attend at Mr. Beatty's  
living on Miller's run, a north branch  
of the north fork of Elkhorn, on the fifth  
day of June next, then and there to  
execute the testimony of certain witness  
respecting the calls of an entry on  
certain right made in my name as aforesaid  
for four hundred acres of land, and lying on  
said Miller's run; and to make other  
as shall be deemed necessary and agreeable to  
law.

LEONARD HALE.

May 27, 1790.

## NOTICE

I S hereby given, that I shall on the first  
day of Augt next, attend with the commissioners appointed by the county court  
of Nelson, in pursuance of the act entitled  
An act to ascertain the boundaries of lands  
and for other purposes, at the Cane spring  
in said county, to perpetuate the testimony  
of certain witnesses respecting the improve-  
ment made by Joseph Irwin in the year 1779.  
And also the boundaries of a presumption of  
four hundred acres granted by the commissioners  
to the said Joseph Irwin deceased.

JOSEPH IRWIN.

PUBLIC NOTICE is hereby given, that  
Wm. John Stott, Walter Taylor, James  
Turley, Nathaniel Lovings, and William  
Ewing, do claim a presumption of two  
acres of land, which was granted to John  
Watford, as aforesaid by Hugh Sudwell, on  
Clarke county, on the east side of Bear  
Creek, including an improvement and a  
spring known by the name of the Elkhorn  
spring—any person claiming land at my  
interference with whom, claim is set up to  
attend at the above spring and improvement,  
on Friday the 27th day of June next, at  
which time and place, I will  
proceed to take the deposition of sundry  
witnesses, to perpetuate testimony respecting  
the several calls in said Sudwell's certificate  
with the commissioners, agreeably to a law  
of this state in that case made and provided.

## NOTICE

THAT Commissioners appointed by the  
court of Mason county will attend on  
the first day of July next, at the mouth  
of William's run, on Mill creek, at the  
mouth of William's run in Mason county,  
then and there to perpetuate the testimony  
of certain witnesses respecting Thomas  
White's improvement, and do such other  
act as shall be deemed necessary and agreeable  
to law.

BARTHOLOMEW FIFTELD.

June 3, 1790.

At a Court of Quarter Sessions held  
for the County of Hardin, the 2nd  
day of February, 1790.

James Nouife, Complainant,

Against

George James, John An-  
derson, James Brown, Defen-  
dant Philip & Ebene-  
zer Giburn.

IN CHANCERY.

THE Defendant George James, not having  
entered his appearance agreeably to an act  
of assembly & two rules of this court, and it appears  
to the satisfaction of the court, that the said defendant is not an inhabitant of this  
commonwealth; on the motion of the complainant, by his counsel, it is ordered that the said defendant do appear here on the fourth  
Tuesday in September next and answer the  
complainant's bill; and that a copy of this order  
be forthwith inserted in the Kentucky  
Gazette for two months successively and  
published Sunday at the door of the  
Presbyterian meeting house in Lexington,  
immediately after Divine service.

D. MAY C. H. C. Q.

NOTICE—On the fourth Friday  
in June next, I shall attend the  
commissioners appointed by the court of Harrison  
county, at a tree marked SM on the  
south fork of Mill creek, (near the place  
where John Adams now lives) the beginning  
of an entry of five thousand acres of land,  
made in the names of Thomas Holt and  
Samuel McMillin; and then there to per-  
petuate the testimony of certain witness-  
es, respecting a presumption and settle-  
ment, and then and there to perpetuate the testi-  
mony reflecting said presumption and settle-  
ment, pursuant to the act of assembly in  
that case made and provided.

SAMUEL McMILLIN.

May 24, 1790.

State of Kentucky, &c.  
At a Court of Quarter Sessions held for the com-  
munity of Fayette on Thursday the 14th day of April, 1790.

REUBEN SEARCY, complainant,

Against

ELI FLECK, Ross & Co. and

THOMAS CARNEAL and WALTER CARR, Defendants.

ELI FLECK, a citizen in this county be-  
ing returned executed on the defendant

Thomas Carnal and Walter Carr, and

it appearing to the satisfaction of the court  
that the other defendants Elback, Ross &

Co. are inhabitants of this state; on the  
motion of the complainant by his counsel, it  
is ordered, that the said defendants Elback,

Ross & Co. do appear at our next Septem-  
ber court, and answer the bill of the com-  
plainant—that a copy of this order be forth-  
with inserted in the Kentucky Gazette for  
two months successively, and published at the  
door of the presbyterian meeting house in  
Lexington, some Sunday immediately after  
divine service.

(A copy) Tele.

LEVIT TODD, C. C. Q. S.

V. T. F. S. 3

ABIAJAH & JOHN W. HUNT,

At their store in Lexington, a quantity

of Bacon, Whiskey, Hemp and

Cotton Linen; for which a generous price will  
be given.

(A copy) Tele.

LEVIT TODD, C. C. Q. S.

V. T. F. S. 3

Fayette County—April Court of

Quarter Sessions, 1790.

WALTER CARR, complainant,

Against

William Pawling, John

Stout, Henry Garrett,

Thomas Johnson & La-

riel Callahan,

in CHANCERY.

THE Defendants Henry Garrett,

Thomas Johnson and Laurel

Callahan, not having entered their  
appearance agreeable to an act of assembly

and the rules of this court, and it appears

to the satisfaction of the court, that they are no in-  
habitants of this state; therefore, on the motion of the complainant, by his  
counsel, it is ordered, that they do appear here on the second Tuesday in September next, and answer the bill of the court, that a copy of this order be inserted in the Kentucky Gazette for two months suc-  
cessively, and published at the door of the  
Presbyterian meeting house in Lexington, some Sunday immediately after Divine service, and at the front door of the court  
house of this county.

(A copy) Tele.

LEVIT TODD, C. C. Q. S.

V. T. F. S. 3

NOTICE.

ALL persons having demands against

John May deceased, either for money

due to them, or for contracts payable in

land, are requested to transmit to the sub-  
scriber a copy of their demands or contracts.

All who are indebted to John May, either

for money due to him, or contracts for

land, paid him from time to time, and

are now in the state of Kentucky, are requested

to make payment, and to perform their  
contracts immediately. The said

defendant by his will and testament,

left his lands to the payment of his

debt, and the subscriber will make it the

object of his administration to provide

for the same, with as much dispatch as the

nature and circumstances of the estate will

admit of. And whereas the said John May

met with a premature death by the hands of

the Indians on his passage down the River

Ohio, and the subscriber has no personal

knowledge of his estate, it is probable the full

value of the same, or the amount of his debts,

cannot be ascertained, but the subscriber

will make payment, and to perform their  
contracts immediately. The subscriber

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